

ADMINISTRATION TEAM MINUTES

Date: September 12th, 2003
Time: 9:00 am
Place: Tacoma AGC Building

<u>Attending</u>	Cathy Arnold	✓	Mike Hall	✓	Mark Rohde	_____
	Dave Banke	_____	Ann Hegstrom	_____	Larry Schofield	✓
	Jerry Brais	✓	Ron Howard	✓	Mark Scoccolo	✓
	Jeff Carpenter	✓	Carl Jonasson	_____	Bill Senta	_____
	Doug Ficco	_____	Tina Nelson	✓	Greg Waugh	✓
	Paul Gonseth	_____	Cathy Nicholas	✓	Tom Zamzow	✓

Opening

The minutes of the June 6th meeting were approved.

Ron announced that Brian Nielsen has accepted a new job with the Urban Corridors Office (UCO) and will not be continuing with our team.

Roundtable

Greg Waugh reports that Kuney has had minimal success at bidding this summer. They will keep trying. LaGrande, Oregon has developed into a tough job. Lewis and Clark is in the throes of a design change order. The closure of the St. John's bridge in Portland was completed ahead of schedule.

Cathy Arnold reports that the SR 519 project at Safeco Field is on track for an early reopening of the I-90 ramps. Look for early October. Elsewhere, other work is winding down for the season. Mark Rohde picked up an emergency contract to repair the 44th Street Bridge in Lynnwood. Cathy warns of three traffic-impact jobs on I-5 next summer. She is involved in hiring a large number of Transportation Engineers.

Mike Hall says that Goodfellow Brothers has had a good summer with private work. Three site jobs on the Redmond Ridge were completed. They also have a waterline and bridge job in Sultan with Snohomish PUD. GBI was recently low bidder on a city project for Maple Valley.

Jerry Brais advises that two King County jobs are now on Ad. One is the 277th overcrossing on SR 167 in Kent and the other is Edgewick Bridge in North Bend.

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Roundtable (cont)

Mark Scoccolo had a tough time getting through the summer, but is now looking at private work over the winter and will be okay.

Tom Zamzow notes that Wilder missed a total of \$130 Million worth of jobs by an aggregate amount of \$1 Million. They have traffic messed up significantly in Bellingham on the I-5 repair job. He described a freak accident where a flagger was hit by a flying barrel and knocked off a bridge.

Cathy Nicholas described concerns with the reauthorization of TEA-21. Apparently, if Congress does not act by October 1st, federal payments will cease. She has been involved with local agency discussions concerning the adoption of superpave. Cathy mentioned the Federal Court finding in the Western States claim against the DBE provisions. The judge effectively threw Western out of his courtroom.

Tina Nelson has come to believe that locals should adopt superpave, but that there will need to be a couple of years of transition, similar to what WSDOT experienced. She told a story about Tacoma's reaction to the DBE case and a confusing collection of addenda related to DBE goals.

Larry Schofield discussed a reorganization in the Local Programs office. Al King is gone and Mike Horton has replaced him. Larry will be changing jobs. He has been working on Tina's superpave transition spec and looking into a notice from L&I that they will no longer issue release letters.

Jeff Carpenter noted that the proposed goal for fiscal year 2004 will be 12%. This is intended to include voluntary utilization of 8%, with contract goals making up the remainder.

Ron Howard describe full staffing at the Construction Office, including the return of Jeff from Active Military duty, the replacement of Dave Mariano by Randy Dubigk and the addition of Mark Gaines (Bridge) and Larry Eik (Roadway). Ron also described the outcome of the trial traffic control jobs (generally favorable) and our plans to collect comments and close out the issue of possible permanent specification changes.

Old Business—Insurance

The team reviewed the information gathered last Spring and the results of individuals' research over the summer. As a result, three options related to OCPI (Owners' and Contractors' Protective Insurance) and CGL (Commercial General Liability) were identified and discussed further:

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Old Business—Insurance (cont)

- Eliminate the requirement for OCPI and add the Owner to the Contractor's CGL policy as an "also insured." This would result in no coverage for acts and omissions by the Owner (negligence) and would require some form of self-insurance for that risk.
- Drop OCPI and add the Owner to the CGL policy as a "named insured" with an endorsement removing any exception for acts and omissions of the Owner. In addition, designate a portion of the policy umbrella limit to apply exclusively to the project.
- Keep both policies pretty much as they are, raising the insurance limits on both to \$3 Million per occurrence and \$5 Million in the aggregate.

The third alternative was endorsed by the team for further development and presentation to the Department's Risk Management office with a recommendation for implementation.

Accompanying the primary conclusion above, were several additional features intended to address problems that have arisen with this specification.

- In the General Special Provision that deletes OCPI and adds the Owner as an "also insured," raise the limit from \$100,000 to \$500,000. Reduce the (new) Standard Spec CGL limit to \$1,000,000 and \$2,000,000.
- Add specific language to both the OCPI and the CGL specifications that prohibit deductibles on OCPI and allows them on CGL. In the case of CGL with the Owner as an "also insured", include language that clearly requires the Contractor to pay any deductibles, regardless of the nature or resolution of the claim.
- Change the duration requirements for the OCPI policy. Presently listed as "during the term of the contract and until 30 days after physical completion," change this to "during the term of the contract or until 30 days after substantial completion, whichever comes first." In addition, the language would require an endorsement to the CGL policy naming the Owner as an "also insured."

Ron agreed to draft up some language accomplishing these things and present it to the team for further discussion and consensus.

Future Meetings

October 17th, 2003 @ Tacoma AGC (9:00 am)

November 14th, 2003 @ Tacoma AGC (9:00 am)

January 16th, 2004 @ To be determined

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Assignment List

<u>Who</u>	<u>What</u>	<u>By When</u>
Ron	Insurance Spec Draft	Oct. 17 th
Jeff	Investigate QPL Usage and CDF testing	Oct. 17 th

Team's "Round Tuit" List

There was a proposal to look into the application of the QPL. Apparently, some offices are demanding samples, tests and catalog cuts when the QPL does not support them. A related complaint of quality control excesses on Controlled Density Fill was also noted. Before this goes on the list, WSDOT will investigate the particular case and determine if it is a correct interpretation of the QPL and, if not, whether it is isolated or not.

It was pointed out the ODOT allows minor subcontracting with only a letter assuring prevailing wages and payrolls. The response was that WSDOT paperwork comes mostly from L&I rules, not the Feds. This issue was dropped.

Re-prioritizing the existing list left us with the following new array:

1. Traffic Control Provisions
2. Insurance
3. Progress Schedules
 - Short-term Scheduling
 - Section 1-08.8, p5.c—Extensions for Quantity Overruns?
4. Disputes Review Boards
5. Tort Claims Liability/Accident Reports
6. Bid Item for On-site Overhead
7. Joint Training—Documentation
8. Payroll, Wage Administration procedures
9. Materials on Hand provisions
10. Web-Based Construction Management